

**INMATE/PAROLEE
APPEAL FORM**
CDC 602 (12/87)

Location: Institution/Parole Region

1. CCF-0

Log No. **6** 2987

Category

4

2. _____

2. _____

POLICY 1
PROCEEDINGS

You may appeal any policy, action or decision which has a significant adverse affect upon you. With the exception of Serious CDC 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate staff member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be taken for using the appeals procedure responsibly.

NAME <u>Vincent C. Bruce</u>	NUMBER <u>J84086</u>	ASSIGNMENT	UNIT/ROOM NUMBER <u>4A-6C-204L</u>
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A. Describe Problem: Facility IV-A has a policy of degrading and humiliating inmates being placed in Ad seg by depriving them of any sort of footwear (shoes) and any T-shirts and socks while they are being held in the holding cages or tanks even after the inmate has been stripped and searched. Ad seg inmates who are waiting for an ASU cell/bed are only allowed to keep their boxers no matter how long they are kept in a holding cage or cell, or where they are escorted to. On 9-9-06, I was held in 3 different holding areas for over 7 hours without footwear, and forced to walk on filthy floors, pavement and even escorted...

If you need more space, attach one additional sheet.

[CONTINUED ON ATTACHED PAGE]

B. Action Requested: 1 That inmates being placed in ASU, and kept in holding areas, be allowed to keep their boxers, t-shirts, socks and immediately provided footwear (if their shoes are confiscated) when placed in facility holding cages/tanks pending ASU placement. 2 This requirement be incorporated into the appropriate O.P.

Inmate/Parolee Signature: Vincent C. Bruce Date Submitted: 9-12-06 ^{originally submitted}

C. INFORMAL LEVEL (Date Received: 10-24-06)

Staff Response: PARTIALLY GRANTED, EVERY ATTEMPT WILL BE MADE TO AFFORD AN INMATE SHOES DURING AN ESCORT TO ASU. CURRENT O.P. (408) STIPULATES (FOR SECURITY REASON THAT INMATES BEING PLACED IN ASU WHILE IN A HOLDING CELL BE ISSUED A T-SHIRT AND A PAIR OF BOXERS. IT IS NOT WITHIN MY AUTHORITY TO CHANGE O.P. REVIEW OF HOLDING CELL LOGS 7219 REFLECTS NO COMPLAINTS OF INJURY OR TRAUMA (HARM). SEE ATT COPIES

Staff Signature: SGT. J. MARTINEZ Date Returned to Inmate: 10-24-06

D. FORMAL LEVEL

If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Investigator's Report, Classification chrono, CDC 128, etc.) and submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

On 10-27-06 I saw an inmate being escorted from facility 4A to ASU without footwear so this practice continues. It is degrading to force inmates to walk on dirty side-walks, covered with bird waste, dirt, spit and other contaminants. This is also raises a health and sanitation issue.

Signature: Vincent C. Bruce Date Submitted: 10-31-06

Note: Property/Funds appeals must be accompanied by a completed Board of Control form BC-1E, Inmate Claim

CDC Appeal Number:

6 2987

A. Describe Problem (cont.)

over a rock strewn path (on the way to ASU). The guards escorting me appeared to enjoy my humiliation and pain. I brought this matter of inadequate footwear to the attention of, and requested footwear from C/O Rivera, 2nd Watch Sgt Martinez, and the 3rd Watch Sgt (name unknown - but who responded we only needed footwear to go to yard (exercise cages). All requests were made on 9-5-06, and all were denied, stating it is CCI policy.

This policy has no legitimate penal objective and is deliberately inhumane, indecent and degrading.

RULES AND REGULATIONS (Title 15)

Inmates shall be issued one pair of shoes 3030(b). Inmates shall be appropriately clothed at all times, 3031, and shall not be clothed in any manner (or deprived of clothing) that degrades the inmate 3343(c).

Furthermore, inmates are suppose to be treated with dignity and respect 3004(a), and not subjected to open displays of contempt (by staff), 3004(b).

This is not an isolated incident as shown by the holding of 3 inmates (McNeil, Thomas and Baskin) in holding tanks in Facility IV-A without footwear for over 48 hours, from 9-4-06 to 9-6-06. My cellmate, Williams, J24577, was also deprived of footwear upon being placed in IV-A holding cages until his arrival in a ASU cell, seven (7) hours later.

* This is the second copy being Wint C. R. sent to the Appeals Coordinator, as the first 602 disappeared.
 Wint C. R. submits for submission this 602.

CCI-TEHACHAPI
APPEALS OFFICE
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**CALIFORNIA CORRECTIONAL INSTITUTION
FIRST LEVEL APPEAL**

DATE: November 29, 2006
INMATE: Bruce, J-84086
APPEAL LOG NUMBER: CCI-0-06-02987
INTERVIEWED BY: R. Johnson, Correctional Lieutenant on November 29, 2006
APPEAL DECISION: **GRANTED**
APPEAL ISSUE: *Living Conditions*

APPEAL RESPONSE:

The Appellant alleges that IVA has a policy of degrading and humiliating inmates while in Administrative Segregation Units and in holding cells by denying them shoes. The Appellant alleges that they are forced to walk over gravel and in inclement weather without shoes.


Appellant requests that inmates placed in ASU be given shoes and proper clothing.

On November 29, 2006, Lieutenant R. L. Johnson interviewed the Appellant. The Appellant reiterated what was on his appeal and stated.

Sergeant J. Martinez answered this appeal at the informal level and stated that every attempt will be made for inmates being placed in ASU will receive shoes during escorting.

Recently Lieutenant Johnson wrote an addendum to the Housing Unit #8 Post Orders that required them to issue the inmates housed in holding cells be issued their issue of supplies and clothing. Every effort will be made by staff to give the inmates shoes to wear during escorts.

Based on the above, this appeal is **GRANTED** at the First Level of Review. If dissatisfied, appellant may request a Second Level review by following the instructions on the appeal form.


R. L. JOHNSON
ASU Lieutenant
Facility IVA, CCI

11/29/06
Date:


D. ZANCCHI
Facility Captain
Facility IVA, CCI

Date: *11-30-06*